

# Exhibit E

---

**From:** Spillane, Meghan K <MSpillane@goodwinlaw.com>  
**Sent:** Tuesday, March 25, 2025 7:14 AM  
**To:** Loftus, Julie; Isaac Zaur; Dave Kumagai; Silverstein, Michael; Walsh, William  
**Cc:** Vogeles, Jessica; dan@danwachtell.com; Simes, Jeffrey A; Amanda Wong; Vatis, Michael; Connolly, J. Erik; Kovacs, Caitlin; Baran, Cheryl; Moye-Rowley, Jane; Williams, Jaquan; steven.fink@sfinkpllc.com; ahaines@schlaw.com  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Dear Julie,

We agree that the parties are at an impasse concerning Request Nos. 4 and 5.

Thank you,

Meghan

---

**From:** Loftus, Julie <JLoftus@beneschlaw.com>  
**Sent:** Thursday, March 20, 2025 8:27 PM  
**To:** Isaac Zaur <izaur@cgr-law.com>; Spillane, Meghan K <MSpillane@goodwinlaw.com>; Dave Kumagai <dkumagai@cgr-law.com>; Silverstein, Michael <MSilverstein@beneschlaw.com>; Walsh, William <WWalsh@beneschlaw.com>  
**Cc:** Vogeles, Jessica <JVogeles@goodwinlaw.com>; dan@danwachtell.com; Simes, Jeffrey A <JSimes@goodwinlaw.com>; Amanda Wong <awong@cgr-law.com>; Vatis, Michael <MVatis@beneschlaw.com>; Connolly, J. Erik <reconnolly@beneschlaw.com>; Kovacs, Caitlin <CKovacs@beneschlaw.com>; Baran, Cheryl <CBaran@beneschlaw.com>; Moye-Rowley, Jane <JMoye-Rowley@beneschlaw.com>; Williams, Jaquan <JAWilliams@beneschlaw.com>; steven.fink@sfinkpllc.com; ahaines@schlaw.com  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

\*\*\*EXTERNAL\*\*\*

Counsel:

Thank you for your responses. While we appreciate this proposal, it is not sufficient for Cassava for the following reasons. Thus, the parties remain at an impasse.

**First**, both sets of Plaintiffs proposed disclosure of “net profits” from Cassava securities “during the period preceding the filing of the Defamation Action.” This proposal does not provide Cassava with any information regarding profits on a day-by-day or statement-by-statement basis, which is relevant to the question of the Plaintiffs’ actual malice in the Defamation Action. For example, the timing of any short sales compared to allegedly defamatory statements is pertinent to Cassava’s actual malice case.

**Second**, both groups proposed disclosing “the date ranges during which they held net short positions,” again limiting the discovery to prior to the Defamation Action. To Cassava, this cutoff is both illogical and inconsistent with Plaintiffs’ overarching relevance position. This cutoff is illogical because Plaintiffs’ short positions did not end on the date of filing of the Defamation Action. Nor were their expected profits fully realized by that date. Profits after the filing—based on Plaintiffs’ positions taken *before* the filing—would still be relevant to Plaintiffs’ actual

malice pre-filing. Next, this cutoff is inconsistent with Plaintiffs' argument about relevance. If, as Plaintiffs contend, the universe of relevant information is limited to facts known by Cassava at time of filing, then this would apply in equal force both before and after filing the Defamation Action. Plaintiffs' inconsistency on this point makes it hard to understand the basis for the objection or the basis for the purported compromise.

For the above reasons, Cassava concludes that the parties are at an impasse.

Regards,  
Julie



Julie Loftus  
(she/her/hers)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 312.624.6341 | [JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)

[www.beneschlaw.com](http://www.beneschlaw.com)

71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

**From:** Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>  
**Sent:** Tuesday, March 18, 2025 3:55 PM  
**To:** Spillane, Meghan K <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>; Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>  
**Cc:** Vogelee, Jessica <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; [dan@danwachtell.com](mailto:dan@danwachtell.com); Simes, Jeffrey A <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>; [steven.fink@sjfinkpllc.com](mailto:steven.fink@sjfinkpllc.com); [ahaines@schlaw.com](mailto:ahaines@schlaw.com)  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

All,

Plaintiffs Heilbut, Milioris, and Brodkin concur with the intervenor plaintiffs' proposal below.

Isaac

**From:** Spillane, Meghan K <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>  
**Sent:** Tuesday, March 18, 2025 2:38 PM  
**To:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>; Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>  
**Cc:** Vogelee, Jessica <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; [dan@danwachtell.com](mailto:dan@danwachtell.com); Simes, Jeffrey A <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>; [steven.fink@sjfinkpllc.com](mailto:steven.fink@sjfinkpllc.com); [ahaines@schlaw.com](mailto:ahaines@schlaw.com)

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Counsel,

We write to follow-up on two outstanding items from our meet and confer last week concerning the Intervenor-Plaintiffs' responses and objections to Defendants' requests from production:

1. **Request Nos. 4 and 5:** As you know, Defendants' Request Nos. 4 and 5 call for “[a]ll Documents and Communications” related to “transactions or trades” made and “interests or positions” held in Cassava Securities by the Intervenor-Plaintiffs or their family members during the Relevant Period. Putting aside that these Requests seek information that is private, confidential, and proprietary in nature and would thus subject the Intervenor-Plaintiffs to undue intrusion, we also fail to see the relevance or probative value of this information. The Intervenor-Plaintiffs' trading activities are unrelated to whether Defendants had a “substantial basis” to file the defamation lawsuit, particularly where the Court already rejected Cassava's efforts to invoke trading as a basis to prove any element of its claim. Similarly, the Intervenor-Plaintiffs' trading activity is not probative of whether Defendants had “probable cause” to pursue their claim, since the particulars of the Intervenor-Plaintiffs' trading activity were not known to Defendants when they decided to pursue the defamation claim and therefore necessarily could not be relevant to Defendants' state of mind at the time. While reserving these objections, and in the interest of avoiding unnecessary motion practice, the Intervenor-Plaintiffs offer the following compromise proposal, without prejudice:

- *In response to Request Nos 4 and 5, the Intervenor-Plaintiffs are willing to disclose (1) their net profits from trading in Cassava securities during the period preceding the filing of the Defamation Action; and (2) the date ranges during which they held net short positions prior to the filing of the Defamation Action.*

If the parties fail to reach a compromise, the Intervenor-Plaintiffs expressly reserve all rights.

2. **Prior Productions to Government Agencies:** With regard to the documents and communications that Cassava previously produced to government agencies or other counterparties in litigation (the “Prior Productions”), Cassava recently expressed concern about re-producing these documents with their existing confidentiality designations because certain of the materials may contain competitively sensitive information that could be used by Dr. David Bredt in his role as Chief Scientific Officer of Rapport Therapeutics (“Rapport”). As an initial matter, we disagree with Cassava's assertion that Rapport is a competitor to Cassava, or that Cassava's confidential information would have any bearing whatsoever on Rapport's business activities. In the interest of resolving Cassava's purported concerns, however, we propose that Dr. Bredt's access to the Prior Productions be restricted, unless counsel obtains advanced confirmation from Cassava that such materials do not contain proprietary business information. For the avoidance of doubt, this restriction would not apply to Dr. Geoffrey Pitt or any of the other Plaintiffs with respect to the Prior Productions. Further, this restriction would not apply to documents and materials produced by Defendants apart from the Prior Productions, since we understand that Defendants will be reviewing those materials for privilege and

confidentiality on a document-by-document basis. Based on our discussion last Friday, we understand that Dr. Bredt's proposed accommodation would resolve Cassava's concerns and allow for the near-term release of the Prior Productions to the remaining Plaintiffs. We are available to discuss how we can best document this arrangement within the Protective Order.

Please let us know when would be convenient to discuss further.

Best regards,

Meghan

---

**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>

**Sent:** Thursday, March 13, 2025 3:19 PM

**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>

**Cc:** Vogelee, Jessica <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Simes, Jeffrey A <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Spillane, Meghan K <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>; [steven.fink@sjfinkpllc.com](mailto:steven.fink@sjfinkpllc.com); [ahaines@sclaw.com](mailto:ahaines@sclaw.com)

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

\*\*\*EXTERNAL\*\*\*

All:

Thank you for the productive conversation today. Regarding RFP Nos. 4 and 5, we acknowledged and clarified that these requests would necessarily only cover documents for which your clients have possession, custody, and control, which in practice considerably narrows the potential "family members" affected by the Requests. Dave and Meghan, you both communicated that this was unlikely to move the needle on respective positions, but would take this back to your clients. Cassava respectfully requests that you state in writing whether your clients will refuse to produce any documents in response to RFP Nos. 4 and 5 by **Tuesday, March 18**.

Best,  
Julie



Julie Loftus  
(she/her/hers)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP  
t: 312.624.6341 | [JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)  
[www.beneschlaw.com](http://www.beneschlaw.com)

71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>

**Sent:** Tuesday, March 11, 2025 1:18 PM

**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>

**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>; [steven.fink@sjfinkpllc.com](mailto:steven.fink@sjfinkpllc.com); ahaines@schlaw.com

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Thanks, Dave. We are available at noon Central/ 1:00 Eastern. I will circulate an invite.



Julie Loftus  
(she/her/hers)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP  
t: 312.624.6341 | [JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)  
[www.beneschlaw.com](http://www.beneschlaw.com)  
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

**From:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>

**Sent:** Monday, March 10, 2025 1:10 PM

**To:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>

**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Plaintiffs and intervenor plaintiffs are available Thursday before 2pm ET. Please let us know what time works and circulate an invite.

In addition to the issues below, we would like to discuss the search parameters (exchanged on Weds) and the follow-up issues from last Monday's discussion of our RFPs to Cassava, including whether Cassava has identified any specific obstacles to its reproduction of discovery from the related investigations/cases.

David Kumagai  
Clarick Gueron Reisbaum LLP  
41 Madison Avenue, 23<sup>rd</sup> Floor  
New York, NY 10010  
646-453-4026

[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)  
[www.cgr-law.com](http://www.cgr-law.com)

---

**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>  
**Sent:** Monday, March 10, 2025 11:44 AM  
**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>  
**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

All,

We write to follow up on our meet and confer conference last Wednesday. During that call, we identified areas of impasse as to RFP Nos. 4 and 5 (to both sets of plaintiffs). We would like to discuss these Requests further to either resolve the dispute or identify an impasse.

To that end, what is your availability on Tuesday through Thursday of this week?

Thank you,  
Julie



Julie Loftus  
(she/her/hers)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP  
t: 312.624.6341 | [JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)  
[www.beneschlaw.com](http://www.beneschlaw.com)  
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

---

**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>  
**Sent:** Thursday, March 6, 2025 4:59 PM  
**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>  
**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

All,

Thank you for the productive conference yesterday. We write to provide an update on some of the initial discovery logistics we discussed at the end of the call. We plan to send our proposed ESI protocol **tomorrow, March 7**, and we will respond your proposed protective order on **Monday, March 10**.

You proposed exchanging proposed terms that each party would run over its own collection. We agree to this method, and will be in a position to circulate the terms Cassava proposes running over its collection on **Wednesday, March 12**.

Best,  
Julie



Julie Loftus  
(she/her/hers)

Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 312.624.6341 | [JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)

[www.beneschlaw.com](http://www.beneschlaw.com)

71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

**From:** Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>

**Sent:** Monday, March 3, 2025 12:44 PM

**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>

**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaур@cgr-law.com](mailto:izaур@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoye-Rowley@beneschlaw.com](mailto:JMoye-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Dave,

2:00 Eastern will work for me and Bill. Thank you.

Julie



Julie Loftus  
(she/her/hers)

Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 312.624.6341 | JLoftus@beneschlaw.com  
[www.beneschlaw.com](http://www.beneschlaw.com)  
71 South Wacker Drive, Suite 1600, Chicago, IL 60606-4637

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

---

**From:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>  
**Sent:** Monday, March 3, 2025 12:02 PM  
**To:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Loftus, Julie <[JLoftus@beneschlaw.com](mailto:JLoftus@beneschlaw.com)>; Walsh, William <[WWalsh@beneschlaw.com](mailto:WWalsh@beneschlaw.com)>  
**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Julie, Bill: Counsel for plaintiffs and intervenor plaintiffs are available this Weds from 1-4 pm ET.

Thanks,  
Dave

David Kumagai  
Clarick Gueron Reisbaum LLP  
41 Madison Avenue, 23<sup>rd</sup> Floor  
New York, NY 10010  
646-453-4026

[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)  
[www.cgr-law.com](http://www.cgr-law.com)

---

**From:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>  
**Sent:** Friday, February 28, 2025 11:07 AM  
**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>  
**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Dave,

We'd actually like to have a separate meet and confer for your responses to our discovery. I'm cc'ing Julie Loftus and Bill Walsh, who are prepared to discuss the responses with you.

What is your availability Wednesday and Thursday of next week?

Thank you,  
Michael



[vCard Bio](#)

Michael B. Silverstein  
(he/him/his)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 614.223.9362 | m: 215.837.2076  
[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com) | [www.beneschlaw.com](http://www.beneschlaw.com)  
41 South High Street, Suite 2600, Columbus, OH 43215-6164

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

**From:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>

**Sent:** Wednesday, February 26, 2025 1:22 PM

**To:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>

**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Thanks, Michael. I'll send an invite for 1:30pm ET on Monday.

David Kumagai  
Clarick Gueron Reisbaum LLP  
41 Madison Avenue, 23<sup>rd</sup> Floor  
New York, NY 10010  
646-453-4026

[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)  
[www.cgr-law.com](http://www.cgr-law.com)

**From:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>

**Sent:** Wednesday, February 26, 2025 12:54 PM

**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>

**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>

**Subject:** RE: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

We are available between 1:30 and 4 EST.



vCard Bio

Michael B. Silverstein  
(he/him/his)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 614.223.9362 | m: 215.837.2076  
[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com) | [www.beneschlaw.com](http://www.beneschlaw.com)  
41 South High Street, Suite 2600, Columbus, OH 43215-6164

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

---

**From:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>  
**Sent:** Wednesday, February 26, 2025 12:51 PM  
**To:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>  
**Cc:** Jessica Vogelee <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Jeffrey A Simes <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Meghan K Spillane <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>; Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moyer-Rowley, Jane <[JMoyer-Rowley@beneschlaw.com](mailto:JMoyer-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** Re: [EXTERNAL] RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

I'm in a deposition all day on Friday. Can you let us know some times that work on your end on Monday?

Thanks,  
Dave

David Kumagai  
Clarick Gueron Reisbaum LLP  
41 Madison Avenue, 23<sup>rd</sup> Floor  
New York, NY 10010  
646-453-4026

[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)  
[www.cgr-law.com](http://www.cgr-law.com)

On Feb 26, 2025, at 12:43 PM, Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)> wrote:

Dave,

We are available on Friday after 2:30 ET, if that works for your side. We would also like to discuss Plaintiffs' and Intervenor Plaintiffs' Responses and Objections during this call.

Thank you,  
Michael

vCard Bio

Michael B. Silverstein  
(he/him/his)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 614.223.9362 | m: 215.837.2076  
[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com) | [www.beneschlaw.com](http://www.beneschlaw.com)  
41 South High Street, Suite 2600, Columbus, OH 43215-6164

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

---

**From:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>  
**Sent:** Monday, February 24, 2025 4:07 PM  
**To:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>; Vogelee, Jessica <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Simes, Jeffrey A <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Spillane, Meghan K <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>  
**Cc:** Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoyle-Rowley@beneschlaw.com](mailto:JMoyle-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** RE: Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Counsel: We'd like to set up a time to meet and confer about Cassava's responses and objections. Plaintiffs' and intervenor-plaintiffs' counsel are available on Wednesday any time after 2pm ET. Please let us know your availability then.

Thanks,  
Dave

David Kumagai  
Clarick Gueron Reisbaum LLP  
41 Madison Avenue, 23<sup>rd</sup> Floor  
New York, NY 10010  
646-453-4026

[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)  
[www.cgr-law.com](http://www.cgr-law.com)

---

**From:** Silverstein, Michael <[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com)>  
**Sent:** Monday, February 17, 2025 6:36 PM  
**To:** Dave Kumagai <[dkumagai@cgr-law.com](mailto:dkumagai@cgr-law.com)>; Vogelee, Jessica <[JVogelee@goodwinlaw.com](mailto:JVogelee@goodwinlaw.com)>; Isaac Zaur <[izaur@cgr-law.com](mailto:izaur@cgr-law.com)>; dan@danwachtell.com; Simes, Jeffrey A <[JSimes@goodwinlaw.com](mailto:JSimes@goodwinlaw.com)>; Spillane, Meghan K <[MSpillane@goodwinlaw.com](mailto:MSpillane@goodwinlaw.com)>; Amanda Wong <[awong@cgr-law.com](mailto:awong@cgr-law.com)>  
**Cc:** Vatis, Michael <[MVatis@beneschlaw.com](mailto:MVatis@beneschlaw.com)>; Connolly, J. Erik <[econnolly@beneschlaw.com](mailto:econnolly@beneschlaw.com)>; Kovacs, Caitlin <[CKovacs@beneschlaw.com](mailto:CKovacs@beneschlaw.com)>; Baran, Cheryl <[CBaran@beneschlaw.com](mailto:CBaran@beneschlaw.com)>; Moye-Rowley, Jane <[JMoyle-Rowley@beneschlaw.com](mailto:JMoyle-Rowley@beneschlaw.com)>; Williams, Jaquan <[JAWilliams@beneschlaw.com](mailto:JAWilliams@beneschlaw.com)>  
**Subject:** [EXTERNAL] Heilbut, et al. v. Cassava, et al., No. 1:24-cv-05948 (S.D.N.Y.) - Defendant Cassava Sciences, Inc.'s Responses to Discovery

Counsel,

Attached please find Defendant Cassava Sciences, Inc.'s Responses to discovery.

Thank you,  
Michael

vCard Bio

Michael B. Silverstein  
(he/him/his)  
Managing Associate | Litigation  
Benesch Friedlander Coplan & Aronoff LLP

t: 614.223.9362 | m: 215.837.2076  
[MSilverstein@beneschlaw.com](mailto:MSilverstein@beneschlaw.com) | [www.beneschlaw.com](http://www.beneschlaw.com)  
41 South High Street, Suite 2600, Columbus, OH 43215-6164

Confidentiality Notice to Incorrect Addressee: [www.beneschlaw.com/confidentialitynotice](http://www.beneschlaw.com/confidentialitynotice)

\*\*\*\*\*

This message was sent from Goodwin Procter LLP and is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail and delete this message. Thank you.

\*\*\*\*\*